



# ***GET INFORMED: KNOW YOUR RIGHTS!***

## **FACILITATOR GUIDE**

### **SESSION OVERVIEW**

This 40 minute session will introduce students to the laws that govern Alberta's workplaces – the Alberta Employment Standards Code. The purpose and importance of this code will be discussed and several of the laws most relevant to students as young workers will be highlighted. Strategies to deal with violation of these codes will also be addressed.

### **LEARNING OBJECTIVES**

1. Students will understand what the Alberta Employment Standards Code is and why it is important.
2. Students will develop an awareness of the regulations in place specifically for young workers under the age of 18 years.
3. Students will be exposed to some of the Alberta Employment Standards that could impact them as new and young workers.
4. Students will learn how to access support and further information regarding Alberta Employment Standards.

### **MATERIALS**

Handout 1 – Hiring Young Workers: Facts at a Glance!

Handout 2 – Alberta Employment Standards: Know the Facts!

Publication: "English Express: *Employment law protects workers*" available to order at [www.alis.alberta.ca](http://www.alis.alberta.ca)

(Supplementary Teacher Reference: "A Guide to Rights and Responsibilities in Alberta Workplaces" available to order at [www.alis.alberta.ca](http://www.alis.alberta.ca))

### **OVERVIEW AND TIMELINES**

Introduction – The "What" and "Whys" of the Code	3 Minutes
Hiring Young Workers	10 Minutes
Alberta Employment Standards: Know the Facts!	20 Minutes
Resolving Wronged Rights – A 3 Step Process	5 Minutes
Wrap Up	2 Minutes



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## **ACTIVITIES**

### **INTRODUCTION – THE “WHAT” AND “WHYS” OF THE CODE**

Explain to the students **what** the Alberta Employment Standards Code is.

- Rules and regulations about hiring and working set into laws of Alberta and Canada
- A minimum standard regarding wages, payment of earnings, breaks, hours of work, overtime, vacation pay, holiday pay and termination that workers are entitled to and employers must provide
- 90% of businesses in Alberta are covered by the Alberta Employment Standards Code

Note: While these standards apply to most workplaces there are exceptions such as for farm or ranch workers, construction workers, emergency services workers and unionized workers. Clarification can be received by contacting the employment counsellors through the toll free government line (page D of “English Express: Employment law protects workers” or page 23 of “A Guide to Rights and Responsibilities in Alberta Workplaces”).

Ask the students the following two questions:

1. **Why** do you think the government has established a set of laws for the workplace?  
*(To protect employees and prevent them from being taken advantage of)*
2. **Why** is it important to know about the Alberta Employment Standards Code?  
*(So that employees can determine when they are being treated fairly in the workplace and when they are not - particularly important for new and young workers)*

### **HIRING YOUNG WORKERS**

Explain that the Alberta Employment Standards Code also sets regulations for hiring young people under 18 years of age. *(Note: No one under 12 years may work.)*

Distribute Handout 1 **HIRING YOUNG WORKERS: FACTS AT A GLANCE!**



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With the students, carefully review the two sections of this handout – Adolescents (12 – 14 years of age) and Young Persons (15 – 17 years of age). This handout outlines the restrictions placed on employers for the type of work, the hours of work and the supervision required when hiring young workers.

Ask the students why the government has established regulations or laws around the hiring of young people. (*To protect the health, well-being and right to education of young Albertans*)

## **ALBERTA EMPLOYMENT STANDARDS: KNOW THE FACTS!**

Distribute the newsprint publication “**ENGLISH EXPRESS: EMPLOYMENT LAW PROTECTS WORKERS**”

Explain to the students that they will work in pairs to complete a 10 question quiz using the newsprint publication to obtain and confirm their answers.

Distribute Handout 2 **ALBERTA EMPLOYMENT STANDARDS: KNOW THE FACTS!**

Once the students have completed the quiz, review the answers using the “Facilitator’s Answer Key” (page 5 of this PUGK). The “Additional Information” sections of the key provide facts that support and explain each answer as well as points for discussion to broaden the knowledge of the students.

### *Alternate Activity:*

*If the “English Express: Employment law protects workers” publication is not available, use the “Facilitator’s Answer Key” to lead the students, as a group, through each of the ten quiz questions.*

## **RESOLVING WRONGED RIGHTS – A 3 STEP PROCESS**

Explain to the students that the government provides information and support to employees who are being treated unfairly in Alberta’s workplaces.

Outline the following three steps to deal with workplace issues regarding Alberta Employment Standards.

### **Step 1 – Call the Alberta Employment Standards Contact Centre:**



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- Highlight the toll-free government number listed for the Employment Standards helpline on the back page of “English Express: Employment law protects workers.”
- Explain that students may call this number to ask questions or to confirm information about potential violations of the Standards in the workplace.
- Inform students that this number is staffed by employment counsellors.
- Recommend that it is best for students to call this number first to confirm the facts before meeting to discuss issues of violation or concern with their employers.
- Counsellors can also provide ideas on how to best deal with the problem and on methods to use when approaching employers.
- Inform students that they do not need to provide their name nor their employer’s name when calling.

## **Step 2 – Discuss with employer:**

- Suggest that the students take a copy of “English Express: Employment law protects workers” to show employers when meeting.
- Follow recommendations made by Employment Standards counsellors.
- Use a non-confrontational approach.

## **Step 3 – File a complaint with Alberta Employment Standards:**

- Explain to the students that if the employer does not comply, the students may then file a formal complaint against an employer through Alberta Employment Standards.
- A complaint may be filed directly by a student or by a third party such as a teacher, school counselor, parent or guardian.
- The Alberta Employment Standards Office will act on behalf of the student to resolve the situation.

## **WRAP UP**

To clarify that the learning objectives have been accomplished, ask the students these questions:

Are you aware of what the Alberta Employment Standards Code is and why it is important?

Do you understand the restrictions placed on employers when hiring young people into the workplace?



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Have you learned some rules or laws that govern the workplace to ensure you are treated fairly?

Do you understand the steps you can take if you believe or know that you are being treated unfairly in the workplace?

## **“ALBERTA EMPLOYMENT STANDARDS: KNOW THE FACTS!” FACILITATOR’S ANSWER KEY**

1. Answer: a) Yes

### **Additional Information:**

- As of April 1, 2009, minimum wage in Alberta is \$8.80 per hour
- On April 1 of each year the minimum wage may be adjusted based on the average weekly wage of Albertans. If Alberta's average weekly wage increases from one year to the next, the minimum wage may be increased by the same percentage. The minimum wage will not be lowered.
- Minimum wage is set provincially
- No one should be paid less than minimum wage
- *Reference:* “English Express – Employment law protects workers” – Page A Section 4

2. Answer: c) ½ hour in total breaks

### **Additional Information:**

- The ½ hour break may consist of shorter breaks that total at least 30 minutes
- Employers do not have to provide breaks within shifts of 5 hours or less
- Employers are not required to pay employees for breaks
- Ask the students about the breaks they are receiving in their workplaces. Some may receive more than the minimum requirement. Some may be paid for breaks.
- *Reference:* “English Express – Employment law protects workers” – Page A Section 3

3. Answer: a) Yes

### **Additional Information:**

- If more than one employee is on the till at the same time, the employer cannot deduct shortages from the wages of one or both employees
- If only one person is on the till at a time, the employer can deduct a shortage off of the employee's pay
- Employers cannot deduct from wages the cost of broken nor damaged tools, equipment, nor machinery nor faulty workmanship
- *Reference:* “English Express – Employment law protects workers” – Page B Section 5 Deductions



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## 4. Answer: c) 3 hours at minimum wage

### **Additional Information:**

- Minimum payment would be  $3 \times \$8.80 = \$26.40$
- If the worker, at regular wage rate, would earn more than \$26.40 for the time worked, then the employer must pay that amount.
- If the worker requests to leave a shift early or becomes ill and must leave, this minimum payment does not apply. The worker would receive their regular wage rate for the time worked.
- If the worker is 12 – 14 years old, scheduled to work 2 hours on a school day, and is sent home early, the worker must be paid, at a minimum, 2 hours at minimum wage.
- *Reference:* “English Express – Employment law protects workers” – Page A Section 2

## 5. Answer: b) Easter Monday

### **Additional Information:**

- While the Alberta Government has designated nine general holidays, employers may choose to recognize additional days as general holidays for their employees. For example, many employers have, by agreement, designated Boxing Day, Easter Monday and Alberta Heritage Day as additional general holidays for their employees. If an employer designates one of these days as a general holiday, all rules pertaining to general holiday pay will apply. Employees should confirm this.
- Workers may earn up to 2.5 times their regular wage when working on a general holiday so careful attention should be made to determine eligibility.
- Not everyone who works a general holiday will receive a higher rate of pay. There are specific criteria of eligibility for general holiday pay. The worker must have worked for the employer for at least 30 days or shifts in the 12 months preceding the holiday, worked the scheduled shift both before and after the holiday and the holiday must fall on the worker's regular workday.
- Individuals who work on a farm or ranch or as a counselor at a educational or recreational camp are not eligible for general holiday pay.
- *Reference:* “English Express – Employment law protects workers” – Page D “Questions and answers” Section

## 6. Answer: b) False

### **Additional Information:**

- The longest pay period is monthly
- Workers must be paid no later than ten days after the end of each pay period.
- Methods of payment can include: cash, cheque, money order, direct deposit
- *Reference:* “English Express – Employment law protects workers” – Page A Section 4



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7. Answer: b) No

**Additional Information:**

- Must work more than 8 hours per day to receive overtime
- Overtime must be paid for any day worked over 8 hours OR any week when total hours worked is more than 44
- Overtime rate of pay is 1.5 times regular hourly wage rate
- *Reference:* "English Express – Employment law protects workers" – Page C Section 7

8. Answer: a) Yes

**Additional Information:**

- Employer must provide a statement of earnings / deductions for each pay period
- In the "English Express – Employment law protects workers" Section 5, review the sample pay stub with students. If time allows, students could complete the seven questions related to this sample pay stub.
- Ask the students who have worked if they have ever discovered an error on their pay cheques - discuss
- Encourage students to keep their own record of days and hours worked and their pay stubs to provide evidence if discrepancies in payment occur
- *Reference:* "English Express – Employment law protects workers" – Page B Section 5

9. Answer: e) d

**Additional Information:**

- The CPP (Canada Pension Plan) is only to be deducted for individuals 18 years of age and older
- Workers, including part time and young workers, begin to accrue or receive vacation pay as soon as they begin working for an employer. Employers may add vacation pay onto each pay cheque or withhold it and pay it out once a year – vacation pay is not deducted off of earnings.
- As workers earn wages they will also earn vacation pay, typically at a rate of 4% of their wage rate
- Workers must work for an employer for at least one year before they are entitled to vacation time.
- *Reference:* "English Express – Employment law protects workers" – Page C Section 8



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10. Answer: a) No notice needed

**Additional Information:**

- Less than 3 months, no notice required
- Over 3 months but less than 2 years, one week's notice required
- Over 2 years, two weeks' notice required
- Note that employers can release a worker with no notice within the first 3 months
- An employer can fire an employee without notice at any time if the employee has been disrespectful or has refused to obey instructions.
- Inform students that they may leave a workplace at any time without notice if they are placed in an unsafe work environment or are asked to do a task that is unsafe or that they have not been trained to do
- *Reference:* "English Express – Employment law protects workers" – Page D "Questions and answers" Section



## HIRING YOUNG WORKERS: FACTS AT A GLANCE!

*There are regulations and restrictions about where and when you can work and what you can and can't do at work when you are under 18 years of age – it's the law!*

### If you are 12 – 14 years old...

#### You can:

- ☒ work 2 hours on a school day
- ☒ work 8 hours on a non-school day
- ☒ work during school hours only if registered in an Off-campus Education Program
- ☒ handle and sell tobacco products while working as a sales clerk
- ☒ work alone as a:
  - delivery person for retail store or newspapers
  - clerk in an office or retail store

#### You can't:

- ☒ work between 9:00 p.m. and 6:00 a.m.
- ☒ work without continual adult (18 years of age or older) supervision other than for work listed in section above
- ☒ pump gasoline
- ☒ work in construction
- ☒ work around or with heavy or hazardous equipment (eg. drills, forklifts, fryers, grills, slicers)
- ☒ sell or serve liquor in a licensed premises

#### You must:

have your parent's or guardian's written permission to work

### If you are 15 – 17 years old...

#### You can:

- ☒ work anywhere
- ☒ work anytime (see some important restrictions below)
- ☒ work alone between 6:00 a.m. and 9:00 p.m.
- ☒ handle and sell tobacco products while working as a sales clerk
- ☒ work during school hours only if registered in an Off-campus Education Program

#### You can't:

- ☒ work after 9:00 p.m. without direct supervision of an adult (18 years of age or older)
- ☒ work between midnight and 6:00 a.m. if you work in a:
  - Retail store
  - Place that sells food or drink
  - Gas station
  - Hotel or motel
- ☒ work without an adult between 9:00 p.m. and 6:00 a.m. if working in a location other than those listed above
- ☒ sell or serve liquor in a licensed premises

#### You must:

have your parent's or guardian's written permission to work, in an approved workplace, if you work between midnight and 6:00 a.m.

## **ALBERTA EMPLOYMENT STANDARDS: KNOW THE FACTS!**

**Read each question carefully and circle the correct answer.**

1. Minimum wage for a 14 year old attending school is the same as minimum wage for an 18 year old not attending school  
a) Yes  
b) No
2. What paid or unpaid breaks are employees entitled when one's shift exceeds 5 hours?  
a) 1 hour lunch break  
b) 1 hour lunch break plus 2 coffee breaks  
c) ½ hour in total breaks
3. Two cashiers worked out of the same till at a convenience store. One day they came up \$100 short at the end of their shift. The Manager insisted that each employee would have \$50 deducted from the next pay cheque to make up the shortage. Are the cashiers correct in stating that the deductions are not allowed?  
a) Yes  
b) No
4. A labourer, age 15, with a local roofing company is paid an hourly wage. Shortly after arriving at work, it began to pour rain. She was told to go home after being there for one hour. The employer must pay her for  
a) 1 hour at her wage rate  
b) 3 hours at her wage rate  
c) 3 hours at minimum wage
5. Alberta has 9 designated general or statutory holidays. Which one of the following is not a "stat" holiday?  
a) Good Friday  
b) Easter Monday  
c) Family Day  
d) Christmas Day
6. Employers may decide how often to pay their employees. In Alberta, a pay period may be any period – daily, weekly, monthly or quarterly.  
a) True  
b) False

7. A student working in an electronics store works his scheduled 6 hour shift from 10:00 a.m. until 4:00 p.m., on a Saturday. At 4:00 p.m. the Manager asks if the student is able to stay and work until 5:30 p.m. as one employee had left feeling ill. Is this student entitled to overtime pay for the extra 1 ½ hours he works from 4:00 p.m. to 5:30 p.m.
- a) Yes  
b) No
8. Must an employer provide a pay stub every payday?
- a) Yes  
b) No
9. Employers are required to deduct money from a worker's earnings. Which of the following may not be deducted from the earnings of a worker?
- a) Employment Insurance  
b) Income Tax  
c) Canada Pension Plan  
d) Vacation Pay
10. A 14 year old student who has worked at a fast food restaurant for 10 weeks has obtained a new job. How much written notice must this student give to his Manager when leaving his job?
- a) No written notice needed  
b) 1 week's notice  
c) 2 weeks' notice